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NEAR RIOT MARKS TRIAL OF BEAVERS

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Attorney James L. Key And Archie Lee Figure In Exciting Fist Fight

Resenting Criticism of Newspaper by Lawyer,

Reporter Retaliates With Blow to Jaw, and

Wild Excitement Reigns in Courtroom—“A

Disgraceful Affair,” Says Captain English,

Who Announces That Future Meetings of the

Commission Will Be Held in Commissioners’

Room.

PROMINENT CITIZENS OF ATLANTA,

OFFICERS AND MANY POLICEMEN

CALL CHIEF BEAVERS COMPETENT

“Discipline Is Maintained and Harmony Rules

in Department,” They Tell Commission—“If

Chief Beavers Is Discharged, It Will Be Great

Reflection Upon High Moral Standing of This

Community,” Says R. J. Guinn—Every Man

on Police Force Summoned—Resume Hear-

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ing Monday.

Wild excitement reigned in the crowded Courtroom last night at the trial of Chief of Police James L. Beavers when, at the moment of adjournment, a lively fist battle was staged between Attorney James L. Key, one of the Counsel for the Chief, and Archie Lee, a Reporter for *The Georgian* and American.

For a moment, it appeared as though many others of the wild and surging crowd that pressed around the Combatants would join in the melee and make it general. Wild disorder prevailed, however, for a short time, *during* which Chief Beavers was rushed out of the door by his friends.

Mr. Key had vehemently pronounced a Headline in a Night Edition of *The Sunday American* to be “a vulgar lie.” The instant the Proceedings were adjourned, Lee, who sat with other Reporters at the same table occupied by Mr. Key, strode to the Lawyer’s side.

The substance for the story which formed a Basis for the Headline, “Chief Lanford Admits Discord in Police Department,” had been telephoned to his Office by Lee.

“Do you mean to call that Headline and story a lie? He asked the Attorney.

“I certainly do,” was the reply.

The two men faced each other, while the audience, moving toward the door, pressed around them.

UPPERCUT

TO JAW.

Lee drew back and delivered an uppercut to the Lawyer’s jaw. Mr. Key reeled beneath the blow and stumbled back into the arms of McSwain Woods, an Attorney. At least a dozen men grabbed hold of the two men. Lee was pinned and forced back upon a table.

Vigorous whoops and jeers came from the crowd, which clambered upon tables, benches, and chairs. The twelve Police Commissioners, standing upon the rostrum, had, figuratively speaking, “Grandstand” seats for the fracas.

Friends of both the Newspaper man and Lawyer pushed in. Lee was being held by a number of Policemen and

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civilians, while the Lawyer was trying to break away from the hold of the men who restrained him.

In the melee, an extension cord running from the group of lights directly over the spot to an electric fan on the table was jerked loose and the lights sputtered out. At that instant, Mr. Key broke free and rushed at Lee, who had also regained his feet. This time it was the Lawyer who landed his blow. Both men were again restrained before Lee could strike back.

The Beavers trial was adjourned at 11 o’Clock until 8 o’Clock Monday night, when it will be resumed in the Commissioners’ Room at Police Station. Key and Lee will be tried by Recorder Johnson on Tuesday afternoon.

TESTIFY

FOR BEAVERS.

In seeking to refute the Charge that harmony does not exist in the Department, that Beavers is lacking in discipline and that the men under the charge do not hold him in the highest esteem, Counsel for the Defense placed on the Stand as Witnesses a score or more members of the Force, including Chief of Detectives Newport Lanford and several captains, sergeants and Patrolman, all of whom testified that they considered Beavers the best Chief the Department had had in their terms on the Force.

Without exception, the Witnesses answered under Oath that they considered him competent and efficient, and that he maintained discipline in the Department, at the same time maintaining the respect and confidence of his men.

Chairman Fain asked Counsel for the Defense how many more such Witnesses they expected to use. He said he did not consider it necessary to place so many on the Stand only to ask the same questions and get the same answers.

“We will put the entire Police Force of Atlanta on the Stand,” answered Attorney Walter McElreath, and there was loud applause from the crowded gallery.

“Will they all testify to the same things those already on the Stand have stated?” asked the Chairman.

“They certainly will,” answered Mr. McElreath.

WILL PROVE COMPETENCY.

Attorney George Westmoreland declared that “when we have proved Chief Beavers is competent, efficient and has the

respect of his men to that degree that there is harmony in the Department, we will stop."

"Well, we will be here for a long time if you are going to prove that," retorted Mr. Hopkins.

"Our verdict will not be reached until we have gone into Executive Session and reviewed the evidence that has been brought out in the Hearing," said Commissioner Vernoy. "I think the time has come when we ought to retire and if we are unable to agree we can call on the Counsel for more light."

"I think the time to come clean or this matter and settle it is right now," cried Mr. Key.

Chairman Fain declared that once the door is closed on an Executive Session, it will be closed to further evidence or arguments from the Counsel for either side.

"We want the testimony on the Records, for we want a Record that will be a Legal Record," said Mr. Westmoreland.

A three-cornered tilt was indulged in between Guinn Mayor Woodward and Attorney Hopkins.

When Chairman Fain objected to the questions asked Mr. Guinn, Mr. Westmoreland made the significant declaration:

"We are making a Record for some one else, probably higher up."

WELL CONDUCTED,

SAYS GUINN.

Mr. Guinn said he had never observed any Police Department other than that of the City of Atlanta, but that his

opinion of the Atlanta Department was that it was well conducted, efficient, and under the Direction of a competent Chief.

“Don't you think the Board of a City Government is best qualified to Judge of the efficiency of the men in its employ?” asked Mayor Woodward.

“Where the Board attempts to hold the Employee responsible for the enforcement of the Law, they should give him the Authority to administer his Oath of Office,” replied Mr. Guinn.

“Didn’t you think the Board of Education had sufficient power to remove its Superintendent of Education when it found him inefficient?” asked the Mayor.

“In many important respects, a Board ought to show its Authority. For instance, any Superintendent of a Department who is not able to discipline the men, where elected by the Board on his nomination, should be removed,” said Mr. Guinn.

Mr. Hopkins asked Mr. Guinn if the Superintendent operating the Department should not be removed if he failed to operate it in accordance with the Rules and Directions of the Board.

CASES ARE NOT PARALLEL.

“The Superintendent of Education takes no Oath to enforce the Law, and his is not a parallel Case to this. No Board has the Right to direct any Executive Officer where it would involve his Oath of Office and his conscience. If the Chief of Police takes a solemn obligation to enforce the Law as he understands it, and if he thinks stealing is a violation of the Law, he ought not to pay

any attention to the Board and his Directions in trying to stop that particular Crime," said Mr. Guinn.

"Do you say that the Chief of Police has a Right to disregard the Board that put him in Office?" asked Mr. Hopkins.

Mr. Westmoreland objected, declaring that "not a scintilla of evidence has been introduced to show that the Chief has ever disobeyed an Order of the Board."

"Did Mr. Guinn not make the Statements that the Chief could, if his conscience dictated, disregard the Board?" asked Mr. Hopkins.

"Let me explain myself," said Mr. Guinn "here is the police Commission. One of the commissioners may have a son guilty of frequent drunkenness, and the Commissioner tells the Chief not to arrest the boy. Such things have been done in this City. The Chief ought not to listen to such instructions."

MUST NOT VIOLATE LAW.

"So long as such instructions are not in violation of the law," was Mr. Guinn's response.

"Do you mean to say that you think the Board was given Beavers any instructions to violate the Law?" demanded the Mayor.

"I certainly do not," answered Mr. Guinn.

"Mr. Guinn, you appear here to tell of the efficiency of Chief Beavers and the Police Department in general," said Mr. Hopkins. "Have you examined the Records, do you know how many

murders were committed last year, how many cases of burglary there were or how many robberies the Department was called on to investigate?”

“I have made no investigation and don’t know those Facts,” replied Mr. Guinn.

“Well, you don’t know anything,” said Mr. Hopkins, sarcastically.

Counsel for Beavers objected to this Statement, declaring that it was unfair to the Witness.

“As a Citizen, it is not my duty to come down here and examine the Records,” said Mr. Guinn. “We have a Board and a capable Chief of Police and Police Department to represent us.”

REFLECTION

ON ATLANTA.

Raising his voice, Mr. Guinn cried:

“When I believe as the vast majority of the good people of Atlanta believe that the High Moral Standards of this town are about to be prostituted, I feel it my duty to come down here and register a vigorous protest.”

“The majority of those who pay the taxes for the maintenance of this Department and of the City at large believe if Chief Beavers is discharged it will be a great reflection on the High Moral Standards of this Community.”

Reference by Beavers’ Counsel to the Fact that it required nearly one year to elect a Chairman of the Police Board and that such a disorganized Board could not expect anything but to have

its own condition reflected in the Department, caused Mayor Woodward to declare:

“While I acted as Chairman of the Board, I never gave Chief Beavers an Order of any kind.”

The mayor declared that during the period the Board was without a Chairman, it had its most harmonious period. “The Board was always in harmony and there were no Factions fighting one another,” said the Mayor. “The only time the members ever split was when they would try to elect a Chairman. Each member had a right to cast his vote as he saw fit and I don’t want the impression to go out that I wanted to be Chairman, for I did not.”

When Counsel for the Defense again placed several members of the Police Force on the Stand, Commissioner Edwin Johnson offered a Resolution to the effect that the Board accept as true and competent testimony that of every Patrolman and Police Officer that the Defense may desire to offer.

“If you want to accept their testimony as true and their testimony will all be to the effect that Beavers is efficient and competent, will the Board go further and say, like the men on the Force, that Beavers is efficient?” asked Commissioner Vernoy.

WILL FACILITATE HANDLING OF CASE.

“We cannot go that far,” said Mr. Johnson. “In offering this Resolution, I merely want to facilitate the handling of the Case. The Chief himself knows that I would not intentionally treat him unfairly.”

“We insist that every man on the Force will say that Beavers is efficient and we are entitled to know if there is any man on the Force who will testify that he is not,” said Mr. Key.

Mr. Johnson objected to hearing further testimony from the men on the ground that something might develop that might bring trouble and friction in the Department in the Future.

“I don't believe it is a good thing for a Subordinate to be called on to testify under Oath against the Superior Officer,” said Mr. Johnson.

“It appears to me that the Patrolman would be quicker to testify to suit the Board that elected them to their Jobs than in favor of the Chief who was under suspension by that same Board,” said Mr. Westmoreland.

“The men in the Department are loyal one to the other and won’t testify against a Brother Officer,” said Mr. Johnson.

“Do you think these men have told the Truth?” asked Mr. Key.

“Do you?” was Mr. Johnson's answer.

“I do,” said Mr. Key.

WOULD DO

RIGHT THING.

Commissioner Vernoy stated that he had known Mr. Johnson since he was a boy and knew what “sort of stuff he is made of.” He said he knew he would do the right thing as soon as he could see the light.

“I want to amend Mr. Johnson’s Resolution as to make it read that ‘if every Patrolman called swears that Beavers is competent, I, Edwin Johnson, will swear the same,’” said Mr. Vernoy.

“I don’t think the Commissioner would be so arrogant as to attempt to vote my convictions for me,” said Mr. Johnson, heatedly.

The Resolution was not put to a vote and Chairman Fain ordered the trial to proceed.

W.S. Duncan, prominent grain merchant, testified that he had known Beavers nearly thirty years, and that he was one of the original four men to sign a Petition to have Beavers put on the Force as a Patrolman twenty-six years ago. Since that time, he said he had watched Beavers’ rise in the Department and considered him efficient and competent.

A.P. Morgan, member of the Board of Education and a Grain and Flour Dealer, testified that he had known Beavers for many years, had watched the work of the Department and considered Beavers, a competent Chief.

W.D. White, member of General Council, testified he had known Beavers’ thirty years, that he considered him a highly efficient Officer and competent Police Chief.

COMPETENT

SAY ALDERMEN.

Alderman Edgar Dunlap and John S. Owens, both of the City Aldermanic Board, testified that they believed Beavers to be an efficient and competent Chief of Police. They said they had never heard anything against him that could be proven.

Alderman Owens said he was a member of the January term of the Grand Jury, and that in receiving the Report of the Police Department the Jury commended the Department in the highest terms as being composed of intelligent and faithful Officers.

Alderman C.H. Kelley another member of the City Aldermanic Board, said he had observed the working of the Police Department and considered Beavers the most efficient of the several Atlanta Chiefs he had known.

E.W. Martin, former member of the Police Board, ex-member of the City Council and four years in the Legislature from Fulton County, said he had known many Chiefs of the Department. “I consider Beavers the most excellent Chief we have had and never have seen his Superior in this City. In Fact, he is the best the City has ever had,” said Mr. Martin.

Sam Sheppard, now a Deputy Sheriff, but formerly a member of the Police Department, testified that Beavers dismissed him several years ago, but that after understanding the Facts in the Case believed Beavers did right and that he considered him an efficient and competent Chief.

Captain Poole testified that he had been on the Force sixteen years under Beavers and that he considered him efficient and competent.

NO CRITICISM

TO OFFER.

“Have you any criticism to offer of him or his Administration of the Department?” asked Mr. Key of Captain Poole.”

“I have none to offer. I think we have one of the best Departments in the Country,” answered Captain Poole.”

At that remark, Andy Nolan, a Moving Picture Machine Operator, at 413 Kiser Building, who was in the audience, yelled:

“It couldn’t be worse,” whereupon there were cries from the Spectators of “Take him out.”

Commissioner Vernoy declared he would not allow the trial to proceed unless the man was removed from the Courtroom. He was taken from the Room by Officer Looney Milam, under instructions from Acting Chief of Police May. No Charges were docketed against him.

Dr. T.D. Longino, long-time member of the City Council, and now member of the Grady Hospital Board of Trustees, testified that he had watched the workings of the Police Department many years, and considered Beavers efficient and competent.

On Cross-Examination Mr. Hopkins asked:

“Dr. Longino, you ran for Mayor once, did you not?”

“Yes, and you ought to have voted for me, but you didn’t,” replied Dr. Longino.

FOLLOWED MAJORITY.

“Well, there were about 12,000 registered and about 11,000 others didn’t vote for you, either, did they? I didn’t vote for you and I followed the great majority who didn’t.”

Mr. Hopkins then remarked that Mr. Key also had a similar experience in making a race for Mayor, to which Mr. Key replied:

“I wouldn’t have felt complimented if I had gotten your vote.”

Mr. Hopkins asked Dr. Longino how many murders had been committed last year. He said he did not know.

“Well, you are up here as an Expert Witness, and you don’t know anything about the Department nor what is going on that they ought to handle,” said Mr. Hopkins.

“For thirty years, I have watched the work of the Department, and I never saw a more harmonious situation than obtains now,” said Dr. Longino.

“You say you never saw it better in your life. Do you mean to say with 4,000 felonies in one year we have an Efficient Department?” he asked.

“Yes,” said Dr. Longino.

“My God, come down,” said Mr. Hopkins.

“I have walked through the streets for thirty years and never have been molested,” displaying a small Pocket-Knife, he continued. “This is all I have ever carried as protection, and I can’t open but one blade.”

“You probably carry no money nor valuables; that is the Reason you were not molested,” said Mr. Hopkins.

Witness said he had carried no money during the day nor night.

W.T. MORRIS

ON STAND.

Mr. Key put W.T. Morris, the Chief's Secretary, on the Stand to show the number of State Cases handled by the Department during the past year.

Mr. Morris testified that the Department handled in 1914, 1,297 State Cases, resulting in 350 being sent to other Counties for Prosecution, 397 held to High Courts after being fined in Recorder's Court and 121 being prosecuted in the lower Courts and not bound over, or a total of 3,022 misdemeanors and felonies. In the first six months of 1915, he testified that there were 765 State Cases where Prisoners were fined and held to higher Courts.

Mr. Hopkins asked Mr. Morris: "Is it not true that Beavers frequently sent eight to ten men out to chase down some woman when only one or two men were detailed to catch a murderer?" He replied in the affirmative.

Judge E.C. Kontz, formerly City Recorder, testified that he had occasion to observe the work of the Department, that he considered Beavers efficient and competent.

"Is there any objection to Chief Beavers outside of a few crooks and thugs?" asked Mr. Key.

"I think there are also decent people who object to Chief Beavers, and I won't put my friends who oppose him in that class," replied Judge Kontz.

Answering a question from Mr. Hopkins, Judge Kontz said it had been twenty-three years since he was Recorder and that he did not know the later details of the activities of the Department.

MORE MURDERS

IN ATLANTA.

Don’t you know there were more murders in Atlanta last year than there were in all Great Britain?” asked Mr. Hopkins.

“The Chief didn’t commit any of them, did he?” interposed Mr. Key.

Commissioner Vernoy objected to Judge Kontz answering the question of Mr. Hopkins, for, he said, “I want to go to Europe some day and I don’t like to hear so much about their Criminal Record. It is my understanding that the people of those Countries respect Law more than they do here. Is that not true Judge Kontz?”

Chief of Detectives Newport Lanford testified he had been in the Department twenty-six years and that he had known Beavers throughout that period, that he did not consider Beavers inefficient nor incompetent.

“Has the efficiency of the Department increased since Beavers took charge?” asked Mr. Key.

“Yes,” replied Lanford.

Lanford said that the Police Force had not been increased, in proportion to the increase in area and population of the City, but had done just as efficient work as obtained before the new territory was annexed, five years ago.

DEPARTMENT

CRIPPLED.

He said that the contingent fund formerly used for conducting Campaigns against blind tigers and crooks had been cut out and crippled the Department.

When he was asked who had cut out the Fund, Chairman Fain answered the question, saying that the City Council had abolished the fund.

“What effect has unfavorable Newspaper publicity had upon the Detective and Police Department?” asked Mr. Key.

“It has hurt it,” replied Chief Lanford.

“How long have the Newspapers been hostile and unfriendly to the Department?” asked Mr. Key.

“I can’t answer that question. I don’t keep up very close with the Newspapers,” was the reply.

“Is it not true that they began their most active work against the Department following the murder of poor little Mary Phagan?”

“Yes, that is true and we have felt it,” said Chief Lanford.

“Is it true that there has been friction in the Department?” he was asked.

“No, it is natural, however, that in a body of several hundred men, there would be more or less complaint on the part of some of the men,” said Chief Lanford.”

Mr. Key asked Chief Lanford if it was not true that Detective Rosser who testified against Beavers on Friday night, had had Charges preferred against him by Beavers because he would not support his family?

Chairman Fain ruled the question out of order, declaring that “the Board knows more in a minute about that Case than Mr. Key would know in two hours.”

QUESTION ALLOWED.

Claiming that he wanted to show the animus of the Witness in testifying against Beavers, Mr. Key finally got the consent of Chairman Fain to ask the question.

Chief Lanford admitted that Charges had been brought against Rosser, but said in answer to questions by Mr. Hopkins that he did not believe Beavers should have made the Charges until the Board had passed on the Case.

“Is there a lack of harmony between the Detective Department and the Uniformed Department?” asked Mr. Key.

“There was a time when there was trouble, but it was all satisfactorily adjusted,” replied Chief Lanford.

Chairman Fain interrupted the Witness by asking: “Was there not sufficient friction to have Charges brought against you?”

“Yes,” replied Chief Lanford.

“You were acquitted, were you not?” asked Mr. Key.

“Yes,” replied Chief Lanford.

On Cross-Examination, Chief Lanford said there were twenty-two murders in Atlanta last year, that twelve were caught and tried, resulting in nine convictions and three acquittals. He testified that of 406 burglaries and 66 robberies in which there were arrests, there were a total of 416 convictions. Some of those

convicted, he explained, were guilty of from one to fourteen crimes.

4,802

BURGLARIES.

Chief Lanford said there was a total of 4,802 burglaries, robberies and larceny Cases handled by the Department last year, resulting in about 2,000 convictions.

“Is not the Department annoyed by little Newspaper Reporters that hang around the Office and pry into the Records?” asked Mr. Key.

“Not now,” was the reply. “That was particularly so during the Frank trial.”

“Was not about the worst Case you had to contend with, that of ‘Doremus?’” (He referred to Doremus, of *The Journal*, who testified against Beavers Thursday night.)

“I can’t say,” replied Chief Lanford.

Captain Terry, twenty-two years a member of the Police Force, testified that as a whole, there was harmony and co-operation among the men. He also said he considered Beavers an efficient and competent Chief.

Patrolman Green, referred to Thursday night by Hamilton Douglas as being the Officer who accompanied him on a raid of a Negro Gambling House some time ago, testified that another Officer accompanied them, and that two plainclothes Officers were picked up En Route to the place where the raid was made.

Sergeant of Police Hollis, twenty-three years a member of the Force, testified that he considered Beavers a competent and efficient Chief, and that he believed he had the esteem and respect of his men.

Sergeant George C. Bullard, member of the Force, for the past nine years, also testified that he believed Beavers to be an efficient and competent Head for the Department.

HARMONIOUS

SAYS HEWELL.

Sergeant of Police Hewell, for the past eighteen years on the Force, said he believed the Department had been more harmonious and efficient during the past four years, under the Administration of Chief Beavers, than ever before.

Among other members of the Force who testified to the efficiency of the Chief and praised him as being the best Chief they had ever had were Patrolman West, twelve years on the Force; Patrolman Dodd, twenty-five years a member of the Force; Sergeant R.J. Brown, acting captain in the place of Acting Chief W.M. Mayo, thirteen years on the force; Patrolman W.H. Andrews, fifteen years a member of the Force.

J. Coy Pearce testified that he was President of the Jitney Bus Club, and a justice of the Peace. He said he had, on many occasions, had reason to find that Chief Beavers was efficient and competent, and that he was ever ready to grant reasonable requests of the public.

In accord with the Plan of the Defense to examine every member of the Police Department, the following Policemen were put upon the Stand:

Patrolman L.O. Askew, nine years on Force; Patrolman George Hamilton, fifteen years; Mounted Patrolman E.W. Pate, eleven years; Mounted Patrolman W.L. Payne, eleven years; Patrolman L.A. Childs; twenty-four years; ex-Patrolman Joseph J. Green, thirty-five years (on the superannuated list); Patrolman C.P. Hill, fifteen years; Ed Chandler, Personal investigator for Chief Beavers, twenty-eight years.

ADMINISTRATION EFFICIENT.

Without an exception, each of these Witnesses swore to the efficiency of the Beavers Administration, declared that harmony prevailed in the Department and eulogized the ability of the suspended Chief.

Chandler made an impassioned address, exclaiming in a spirited tone that Beavers was the best Chief that the Department had ever had.

When Chandler was first put upon the Stand, Commissioner Edwin Johnson announced that “he would believe him, and that he had unlimited faith in his word and motives.”

“Now, I challenge Mr. Johnson,” said Mr. Key, after the Witness had pronounced Beavers to be the Department’s most proficient Head, “to repeat his words.”

“I said,” replied Mr. Johnson, “that I believed every word he uttered came from his heart, and that he was conscientious in all he said.”

“I have been under six Police Chiefs,” testified ex-Patrolman Green, a man with forty years’ acquaintance with Chief Beavers

and thirty-five years' Service in the Department, "and I have never known one of them to be more proficient than Beavers. When I first went on, there were only forty men on the Force. The City has grown in leaps and bounds, and it has become the dumping ground for all manner of crooks. Atlanta has to contend with all classes of Criminals, and the more adroit and accomplished ones who are released from Federal Penitentiary."

SCORES

AMERICAN.

When Attorney Key spied a man in the audience reading the Night Edition of *The American* which contained a Report of a part of the trial, he borrowed it and recalled Chief Lanford to the Stand. The Paper had been issued, as all Sunday Papers in the City, during Saturday night and sent upon the Streets while the trial was still in progress.

"This is 'a general public nuisance,'" said Mr. Key, holding the Paper to view. He was called out of Order by Chairman Fain. "It has been one of the worst influences upon the Police Department," he continued, despite the Chair's admonition. "I ask you, Chief Lanford, if this isn't just a plain, vulgar lie?"

There was no reply from the Chief. Attorney Hopkins protested, whereupon Fain ruled that, insomuch as Lanford had already delivered his testimony, anything else he might say upon the subject would be irrelevant.

George McCarty and E.L. Adams, the former, a Fertilizer Dealer and the latter a Wholesale Merchant, were put upon the Stand to testify in Beavers' behalf. Both men stated their belief

that Beavers' Administration was successful, and that the Department progressed under his control.

CALLED FIGHT

A "DISGRACE."

Captain James W. English, of the Police Board, declared, following the fight between Lee and Key, that there would be no further opportunity for such a "disgraceful affair."

"Hereafter, during this trial, gentlemen," said Captain English, addressing a number of admirers of Chief Beavers, who were shouting Beavers' name, "this trial will be held in the Commissioners' Room, and no crowd will be allowed to come in and indulge in "rowdyism."